



University of North Florida  
**UNF Digital Commons**

---

Legislation

Student Government

---

Fall 8-1-2012

# Senate Bill CR-12F-2629B Constitutional Referendum II

Student Government Association  
*University of North Florida*

Follow this and additional works at: <http://digitalcommons.unf.edu/sgaleg>

---

## Suggested Citation

Student Government Association, "Senate Bill CR-12F-2629B Constitutional Referendum II" (2012). *Legislation*. 2333.  
<http://digitalcommons.unf.edu/sgaleg/2333>

This Article is brought to you for free and open access by the Student Government at UNF Digital Commons. It has been accepted for inclusion in Legislation by an authorized administrator of UNF Digital Commons. For more information, please contact [Digital Projects](#).  
© Fall 8-1-2012 All Rights Reserved





# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

Whereas: The Student Government of the University of North Florida was established to represent student concerns in all University wide matters; and

Whereas: The Student Senate is the legislative body of the University of North Florida's Student Government given the responsibility of carrying out such legislative acts that are necessary and proper for the Student Body of the University of North Florida; and;

Whereas: Legislation dealing with necessary and proper statutory revisions shall be considered by Student Senate; and

Whereas: The Constitution is in need of revision.

**Furthermore:** The following revisions are being proposed to the Constitution;

#### ARTICLE I: THE ORGANIZATION

##### Section 1: Name

The name of this organization shall be the Student Government of the University of North Florida; hereinafter referred to as Student Government.

##### Section 2: Branches of Government

The powers of this Government shall be divided into Legislative, Executive, and Judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

##### Section 3: Purpose

The purpose of this Government shall be to represent student concerns in all University-wide matters while developing and promoting programs and activities of practical value and interest to students. This shall include but not be limited to the following:

- A. The allocation of the Activity and Service Fee Budget herein referred to as A&S Fees;
- B. The evaluation and establishment of student programs;
- C. The support and development of student activities, clubs and organizations, publications, and services; and
- D. The representation of concerns for student morale, welfare, responsibility,



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B: Constitutional Referendum II*

and integrity.

#### ARTICLE II: THE LEGISLATURE

##### Section 1: Composition

The Legislative Powers of the Student Government shall be vested in the Student Senate, hereinafter referred to as the Senate, which shall consist of 52 senators.

##### Section 2: Terms and Qualifications of Senators

- A. Elected Senators: Elected Senators shall be elected for terms of one (1) year, and shall be limited to a maximum of six (6) terms.
- B. Appointed Senators: If a vacancy occurs, the Senate may appoint a substitute to serve for the remainder of the term as prescribed by law, but subject to the restrictions enumerated in Section 64B of this Article.
- C. Qualifications: Every Senator must be an A&S Fee paying student, enrolled in at least one (1) class during both the Fall and Spring semesters at the University of North Florida, and maintaining a 2.25 GPA or higher unless one has attended the University of North Florida for less than one (1) semester. Senators may continue to serve during the summer semester without being enrolled in a class as long as they are still considered students by the University of North Florida.

##### Section 3: Senate Officers:

The Senate shall choose its officers, which shall include a permanent presiding officer selected annually from its membership, who shall be designated as the Senate President. The Senate shall also annually select from its membership a Senate President Pro-Tempore, who shall assume the duties of presiding officer in the Senate President's absence. All other duties and requirements of the aforementioned officers, and/or creation of additional Senate officers shall be prescribed by law.

##### Section 4: Senate President Duties

- A. The Senate President shall be the Chief Legislative Officer.
- B. To conduct meetings of the Senate in accordance with Title II: The Parliamentary Authority Statute.
- C. He/she shall perform all duties as provided in the Senate Policies and Procedures
- D. To enforce and follow Title VII: The Enforcement Statute.
- E. Provide for the compilation and publication of Constitutional legislation.



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

#### **Section 5: Senate President Pro-Tempore Duties**

Assist the Senate President and perform duties as directed by the Senate President.

#### **Section 6: Apportionment**

- A. General Apportionment: The Senate shall consist of fifty-two (52) seats, numbered one (1) through fifty-two (52), with one (1) senator occupying each seat.
- B. For Special Provisions see Article V Section 4.

#### **Section 7: Meetings of the Senate**

- A. Organizational Meeting: Within one (1) calendar month of each general election, the Senate shall convene for the purpose of organization and selection of officers as prescribed by law.
- B. Regular Meeting: A regular meeting of Senate shall convene during each academic semester a minimum of two (2) times each thirty-one (31) day period, excluding the last week of each semester. The Senate can waive this requirement, for only one (1) meeting per semester, by two-thirds (2/3) vote.
- C. Special Meeting: The President, by written proclamation, presented to the Senate President, stating a legitimate purpose, may convene, forty-eight (48) hours after the presentation, the Senate in special meeting during which only such legislative business may be transacted as is within the purview of the proclamation, or of a communication from the President, or is introduced by consent of two-thirds (2/3) of the Senate. The President's power to convene the Senate may be prevented only upon a petition of one-half (1/2) of the Senate's membership. The Senate's power of prevention cannot be general in nature and must apply only to the President's respective proclamation and order to convene.

#### **Section 8: Definition of Legislation**

- A. Bills: Bills shall be legislative proposals used to appropriate monies, approve Constitutional amendments and revisions, and adopt statutory amendments and revisions, and other binding acts.
- B. Joint Resolutions: Joint Resolutions shall be resolutions stating the will of Student Government.
- C. Simple Resolutions: Simple Resolutions shall be the formal expression of the opinion of the Senate or the legislative vehicle used for the internal regulation of the senatorial policies and procedures.

#### **Section 9: Passage of Legislation**



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

- A. The origination of legislation in Senate shall be prescribed by law.
- B. The passage of Bills and Joint Resolutions shall be governed pursuant to Section 8 of this Article.
- C. The passage of Simple Resolutions that only express the official opinion of the Senate shall require a majority vote and are not subject to the Executive Veto power outlined in Section 8 of this Article.
- D. The passage of Simple Resolutions that amend or revise Senatorial policies and procedures shall require a two-thirds (2/3) vote of Senate and are not subject to the Executive Veto power outlined in Section 8 of this Article.

#### **Section 10: Executive Approval and Veto**

- A. Every Bill or Joint Resolution passed by majority vote of the Senate shall be presented, by the Senate President, to the President as prescribed by law, within five (5) business days.
- B. The Bill or Joint Resolution shall become law if the President approves and signs it, or fails to veto it within five (5) business days after its presentation.
- C. In all cases except general appropriation bills, a Presidential veto shall extend to the entire Bill or Joint Resolution. The President may veto any specific appropriation in a general appropriation bill, but may not veto any qualification or restriction without vetoing the appropriation to which it relates nor may he or she approve any general appropriation which becomes law or is appropriated after his or her term of office.
- D. After a Bill, Joint Resolution, or specific appropriation has been vetoed, the President shall transmit written and/or oral objections thereto to the Senate at the next regular meeting.
- E. If any senator motions to override a veto, the vetoed bill or specific appropriation shall be placed on the Senate floor and subject to normal parliamentary procedure and must be passed by a two-thirds (2/3) vote.
- F. The Senate, after reconsidering the vetoed legislation, may, by two-thirds (2/3) vote, re-enact the bill or reinstate the specific appropriation, over which the president shall have no veto authority. Any Bill re-enacted under this provision shall immediately become law. Any specific appropriation re-instated under this provision shall be allocated with all reasonable brevity.
- G. Vetoed Bills or specific appropriations that are amended in any way after Senate reconsideration shall become de facto a new piece of legislation and be subject to Presidential veto authority.
- H. If no Senator motions to reconsider at the next regular session, the vetoed Bill or specific



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

appropriation cannot be brought back to the floor. This provision applies only to vetoed legislation for the purpose of Senate re-enactment or reinstatement and in no way shall infringe upon the ability of Senate to bring any previously vetoed Bill or specific appropriation back through normal legislative procedures, subject again to presidential veto.

- I. If a Joint Resolution is vetoed by the President, it shall automatically return to the Senate as a simple resolution.

#### **Section 11: Prohibited Laws**

- A. Senate shall not enact a Bill or Joint Resolution that conflicts with or violates any Federal, State, or Local laws and/or ordinances or University Rules and Regulations. This shall include but not be limited to Bills of ~~A~~ttainder, ~~E~~x ~~P~~ost ~~F~~acto laws. The Student Government Judicial Branch shall negate and remove, if presented for Judicial Review, existing Student Government law if it conflicts with this provision.
- B. Senate shall not enact a Bill or Joint Resolution which adds any qualification or restriction for membership in the Student Government not already outlined in Section 2C of Article II, Section 64B of Article II, Section 2B of Article III, or Section 3B of Article IV. The Judicial Council shall negate and remove, if presented for Judicial Review, existing Student Government law if it conflicts with this provision.

#### **Section 12: Additional Powers and Duties**

The Senate shall:

- A. Enact under the procedures outlined in Section 27 of this Article, constitutional bylaws to be known as Student Government Statutes, with the exception of bylaws concerning elections, which shall require a two-thirds (2/3) vote of the Senate.
- B. Approve and allocate the fiscal budget of the Student Government, subject to the provisions of Section 27 of this Article and Chapter 1009.24 of the Florida Statutes.
- C. Establish its own meeting times, rules, and procedures.

### **ARTICLE III: THE EXECUTIVE**

#### **Section 1: Executive Powers**

All Executive Powers of the Student Government shall be vested in the President of the Student Government assisted by the Vice President and such administrative officers as the President shall appoint in accordance with this Article. The Student Government President shall hereinafter be referred to as the President, the Student Government Vice President as the Vice President.



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

#### **Section 2: Terms and Qualifications of the President and Vice President**

- A. Terms: The President and Vice President shall be elected for terms of one (1) year, and shall be limited to a maximum of two (2) terms.
- B. Qualifications: The President, Vice President, and all members of the Executive Branch must be A&S Fee paying students, enrolled in at least one (1) class during both the Fall and Spring semester, and maintaining a 2.25 GPA or higher.

#### **Section 3: Vacancies**

- A. If a vacancy occurs in the office of the President, the Vice President shall assume office for the remainder of the term.
- B. If a vacancy occurs in the office of the Vice President, the President shall have the power to appoint a new Vice President, subject to majority approval from Senate.
- C. If a vacancy occurs in both the office of the President and the Office of the Vice President, the Senate President shall assume the office of the President for the remainder of the term.

#### **Section 4: Executive Cabinet**

- A. The President shall have the power to appoint all Executive Cabinet Officers with majority approval from Senate. The removal of Executive Cabinet Officers shall be prescribed by law.
- B. Executive Agency Directors and Assistant Directors are to be considered a part of the executive cabinet and remain under the authority of the President
- C. The creation, termination, and/or funding of Executive Cabinet Positions shall be prescribed by law.

#### **Section 5: Additional Duties and Powers of the President**

The President shall:

- A. Be the Chief Executive Officer of Student Government.
- B. Administer and enforce all laws of Student Government.
- C. Call and preside over executive meetings of Student Government and student assemblies when appropriate.

#### **Section 6: Duties and Powers of the Vice President**



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

- A. The Vice President shall assume the duties of the President only in extreme circumstances, such as physical incapacitation, which makes it impossible to discharge the duties of the office.
- B. The Vice President shall coordinate the efforts of the Executive Cabinet and shall serve as coordinator for the formulation and completion of Executive Cabinet projects.

#### **Section 7: Duties and Powers of the Treasurer**

- A. The President must appoint a qualified individual to the position of Treasurer within the first month of taking office. This position shall be a member of the Executive Cabinet. The appointment, termination, and duties of this position shall be prescribed by law.
- B. The Treasurer shall serve as the executive liaison to the Student Body on all matters pertaining to A&S Fee procedures.
- C. The Treasurer shall work with the Senate Budget and Allocation Committee, Student Government Accountant, and Student Government Business Manager in monitoring all A&S Fee accounts and advising all A & S Fee requesters on proper procedure and regulations.
- D. The Treasurer shall fulfill all job responsibilities as well as duties prescribed by law.

#### **Section 8: Duties and Powers of the Attorney General**

- A. The Attorney General shall be an executive position appointed by the President and confirmed by a majority vote of the Senate.
- B. The Attorney General shall be the Chief Executive Prosecutor in all Student Government matters.
- C. The Attorney General is responsible for issuing, upon receipt of a written request by any member of Student Government, an interpretation of any questions relating to the Student Government Constitution and Statutes. The Attorney General's interpretation is binding unless negated by the Judicial Council.
- D. The Attorney General shall fulfill all job responsibilities as well as duties prescribed by law.

### **ARTICLE IV: THE JUDICIARY**

#### **Section 1: Judicial Powers**

The Judicial Power of Student Government shall be vested in the Judicial Council.





# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

#### Section 2: Composition of the Judicial Council

- A. The Judicial Council shall be composed of nine (9) total Justices.
- B. A Chief Justice shall be elected annually from within the Council to serve as the presiding officer and shall serve a one (1) year term.
- C. Other officers that the Council deems necessary shall be chosen according to Judicial Rules and Procedures.

#### Section 3: Terms and Qualifications of Justices

- A. Terms: Upon installation, justices may serve a two (2) year term for a maximum of two terms. Justices may also resign their position at any time for any reason.
- B. Qualifications: Justices must be A & S fee paying students, enrolled in at least one (1) class during both the fall and spring semester, and maintain a 2.25 GPA or higher.

#### Section 4: Installation of Justices

- A. Procedure: When there is a vacancy on the Judicial Council, the President shall forward a Judicial Nominee to Senate for majority confirmation. Upon majority confirmation from Senate, the Judicial Nominee shall immediately be installed as an acting Justice.

#### Section 5: Jurisdiction and Judicial Review

- A. Powers: The Judicial Council shall have the power of Judicial Review over all Executive and Legislative Acts. This power shall include and be limited as prescribed by law.
  - 1. The Judicial Council must negate and remove existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy when in conflicts with any provisions of the Student Government Constitution.
  - 2. The Judicial Council must negate and remove existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy when in conflicts with any Federal, State, or Local laws and/or ordinances or University Rules and Regulations. Prior to any judgment that negates or removes existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy that is being challenged on the grounds that it violates Federal law, State law, Local law or ordnance, or University regulation, the Judicial Council must consult with the University of North Florida's General Counsel.
  - 3. The Judicial Council may issue a temporary stay against the application of a Student



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy in time sensitive matters not to exceed ten (10) business days, in order to provide ample time for a judicial hearing and decision. The Judicial Council shall not issue more than two (2) stays for any one complaint or issue.

4. The Judicial Council shall serve as the final deciding body for all disputes between University of North Florida students, Student Government student employees, members, and/or elected officials which involve or are directly affected by Student Government law. Judicial relief in such cases shall be prescribed by law but must always be comparable to the Judicial power exercised by courts in the United States Federal Court System.

B. General Restrictions: The aforementioned power of Judicial Review outlined in Section 5 of this Article cannot be enacted unless an A & S fee paying student files a written complaint. Furthermore, the complainant cannot be a member of the Judicial Council and any judgment rendered must be within the purview of the complaint.

C. Constitutional Restriction: The Judicial Council may not change, amend, negate, or remove any provision of the Student Government Constitution at any time for any reason.

#### **Section 6: Election Code Violation Process**

A. The Judicial Council shall have purview over all filed election violations.

B. At the start of each election cycle the Judicial Council shall be separated into two courts, the Elections Primary Court and the Elections Supreme Court.

C. The Elections Primary Court shall be composed of the Associate Chief Justice and two (2) Associate Justices appointed by the Chief Justice. All violations will first be reviewed for merit and adjudicated by this court. Additionally, all rulings made by the Elections Primary Court may be appealed to the Elections Supreme Court.

D. The Elections Supreme Court shall be composed of the Chief Justice, all members of the Elections Primary Court and the remaining Justices who sit on the Judicial Council. The Elections Supreme Court will hear all appeals and may affirm, reverse or alter all rulings made by the Elections Primary Court. All decisions made by the Elections Supreme Court shall be final.

#### **Section 7: Administration: Practice and Procedure**

A. Quorum for a Student Government Judicial Council hearing shall be set at fifty percent (50%) plus one (1) of the current membership.



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

- B. The Chief Justice of the Judicial Council shall serve as the chief administrative officer of the Judicial Branch and shall be vested with, and shall exercise, in accordance with rules adopted by the court, the authority to:
1. Assign duties among the Justices of the Council.
  2. Conduct and preside over Council proceedings.
  3. Rule on procedural questions that arise during the course of the judicial proceedings.
  4. Report in writing to the Respondent of any complaint filed with the Judicial Council.
  5. Be responsible for administering the "Oath of Office" to all Student Government officers.
  6. Periodically inform the Senate of the condition of the Judiciary.
  7. Report to the Senate such defects in the laws as may have been brought to the attention of the Council and suggest such amendments or additional legislation which is deemed necessary.
- C. In the absence of the Chief Justice, an interim Chief Justice shall be designated according to Judicial Rules and Procedures.
- D. The Judicial Council shall establish its own meeting times, rules, and procedures. Rules and procedures of the Judicial Council may be negated and removed through a bill requiring a two-thirds (2/3) vote of Senate and Presidential signature approval. If the President does not approve, the Senate may override his veto by three-fourths (3/4) vote.
- E. The Judicial Council shall conduct open Hearings for all cases.

### ARTICLE V: ELECTIONS

#### Section 1: Eligible Voters

- A. Every student currently registered and paying A&S Fees to the University of North Florida shall be entitled to vote in all General and Special Elections.
- B. Only Students currently registered in the College of Arts and Sciences and paying A&S fees to the University of North Florida shall be eligible to vote in the Inter-College Election for Senatorial Seat forty-three (43) and forty-four (44).



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

- C. Only Students currently registered in the College of Computing, Engineering and Construction and paying A&S fees to the University of North Florida shall be eligible to vote in the Inter-College Election for Senatorial Seat forty-five (45) and forty-six (46).
- D. Only Students currently registered in the Brooks College of Health and paying A&S fees to the University of North Florida shall be eligible to vote in the Inter-College Election for Senatorial Seat forty-seven (47) and forty-eight (48).
- E. Only Students currently registered in the Coggin College of Business and paying A&S fees to the University of North Florida shall be eligible to vote in the Inter-College Election for Senatorial Seat forty-nine (49) and fifty (50).
- F. Only Students currently registered in the College of Education and Human Services and paying A&S fees to the University of North Florida shall be eligible to vote in the Inter-College Election for Senatorial Seat fifty-one (51) and fifty-two (52).
- G. Student Government will enact no law to this Section which adds any additional eligibility criteria or law which unfairly hinders a registered student's right to vote.

#### Section 2: Candidacy

All Student Government candidates for elective office must be A&S fee paying students, enrolled in at least one (1) class during both the fall and spring semesters, and maintain a 2.25 GPA or higher unless one has attended the University of North Florida for less than one (1) semester. In addition, all Presidential/Vice-Presidential candidates are required to run on a two person ticket, with a clear distinction of which office each individual is seeking.

#### Section 3: Types of Elections

- A. General Elections: Elections will be held exactly once (1) during the fall and spring semesters for the purpose of determining which candidates will assume all Student Government Elective Offices, with the exception of Senatorial apportioned seats forty-three (43) through fifty-two (52), and any Special Election called pursuant to Section 4O of this Article.
- B. Special Elections: The sStudent body may, upon written petition presented to the Chief Justice bearing the names and signatures of at least ten percent (10%) of the student body, call a special election for one, several, or all of the seats occupied by appointed Senators or left vacant by elected ones. This Special Election shall be held within twenty (20) business days from the date of presentation.
- C. Inter-College Elections: Elections held during the fall semester and during the spring semester for the purposes of determining which candidates will assume Senatorial apportioned seats forty-three (43) through fifty-two (52).

#### Section 4: Senatorial Elective Offices



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

- A. Seats one (1) through twenty (20) and seat forty-one (41) shall be open for election during the fall General Election.
- B. Seats twenty-one (21) through forty (40) and seat forty-two (42) shall be open for election during the spring General Election.
- C. With the exception of seats forty-one (41) and forty-two (42), Senatorial Seats offered during a General Election shall be at-large, with vacant seats being occupied by the candidates receiving the most votes.
- D. Seats forty-one (41) and forty-two (42) can only be occupied by a qualified graduate student receiving the most votes.
- E. Seat forty-three (43) shall be open for election during the Fall Election and can only be occupied by a qualified student from the College of Arts and Sciences.
- F. Seat forty-four (44) shall be open for election during the Spring Election and can only be occupied by a qualified student from the College of Arts and Sciences.
- G. Seat forty-five (45) shall be open for election during the Fall Election and can only be occupied by a qualified student from the College of Computing, Engineering, and Construction.
- H. Seat forty-six (46) shall be open for election during the Spring Election and can only be occupied by a qualified student from the College of Computing, Engineering, and Construction.
- I. Seat forty-seven (47) shall be open for election during Fall Election and can only be occupied by a qualified student from the Brooks College of Health.
- J. Seat forty-eight (48) shall be open for election during the Spring Election and can only be occupied by a qualified student from the Brooks College of Health.
- K. Seat forty-nine (49) shall be open for election during the Fall Election and can only be occupied by a qualified student from the Coggin College of Business.
- L. Seat fifty (50) shall be open for election during Spring Election and can only be occupied by a qualified student from the Coggin College of Business.
- M. Seat fifty-one (51) shall be open for election during the Fall Election and can only be occupied by a qualified student from the College of Education and Human Services.
- N. Seat fifty-two (52) shall be open for election during the Spring Election and can only be occupied by a qualified student from the College of Education and Human Services.



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

O. All further Senatorial election requirements and procedures shall be prescribed by law.

#### Section 5: Executive Elective Offices

A. The Presidential/Vice-Presidential Election shall be held during the spring General Election.

B. All further Executive election requirements and procedures shall be prescribed by law.

#### Section 6: Validation

In the absence of a legitimate challenge to the validity of the entire General, Inter-College, or Special Elections, the Senate shall validate election results no later than ten (10) business days after the last day of the election.

#### Section 7: Installation

A. The installation process for all newly elected Senators shall begin at the next Senate meeting following the validation of any General, Inter-College, or Special Elections results, as in accordance with Section 6 of this Article. Upon installation, the newly elected Senators shall assume all abilities and responsibilities of their respective office.

B. The installation of the Student Government President-elect, Vice-President elect, and new executive administration shall occur no earlier than three weeks before the end of the spring semester and no later than the conclusion of that semester's finals week. The current President shall set the installation date within this requirement and must make the date official by February 1<sup>st</sup> of that semester. After the Student Government President-elect and Vice-President elect are sworn in, he/she shall assume all abilities and responsibilities of the Executive Office.

C. Elected candidates shall be sworn into office by the Chief Justice or another member of the Judicial Council as designated by the Chief Justice, using the following oath:

"I (name of Individual), do hereby affirm to uphold the office of (Title), and to abide by the laws of the United States of America, the Constitution of the Student Government of The University of North Florida, and to represent the Student Body to the best of my ability, so help me God."

### ARTICLE VI: AMENDMENT PROCESS

#### Section 1: Proposal of Amendments

An amendment to this constitution may be proposed to the student body through:

A. A three-fourths (3/4) vote of Senate, or



# SENATE LEGISLATION

## CR-12F-2629B

### *CR-12F-2629B:Constituional Referendum II*

- B. A written petition presented to the Chief Justice bearing the names and signatures of at least ten percent (10%) of the student body.

#### **Section 2: Procedure after Proposal**

- A. All proposed amendments shall be published in the major student publication and otherwise made available to the Student Body for ten (10) business days prior to the vote by the Student Body.
- B. Proposals made via the Senate or as written petition bearing the names and signature of at least ten percent (10%) but less than twenty percent (20%) of the student body shall be introduced as a constitutional referendum at the next General Election.
- C. Proposals made via a written petition bearing the names and signatures of twenty percent (20%) or more of the student body may be introduced, at the discretion of the petitioner(s), as a Special Constitutional Referendum, which shall be voted on by the student body within fourteen (14) business days of its presentation and shall have the following restrictions.
1. Special Constitutional Referendums can individually encompass only a singular subject.
  2. Special Constitutional Referendums cannot be proposed during the summer semester

#### **Section 3: Ratification**

The proposed amendment shall immediately become part of this Constitution if more eligible students vote "Yea" than "Nay" at the General or Special Election.

#### **Section 4: Friendly Amendments**

- A. Friendly Amendments shall be defined as those amendments that do not alter the intent or any possible legal interpretation of our Constitution.
- B. Friendly amendments may be made to this Constitution in the Form of a Special Joint Resolution. This Joint Resolution must include all the friendly amendments that are to be made and must present them in their full context. In order for any such joint resolution to take effect the following procedure must be adhered to:
1. Senate must pass any such resolution unanimously.
  2. The resolution must be signed by the President.
  3. The Joint Resolution shall be submitted to the Judicial Council and prior to the bill taking effect the entire judicial council must meet in a closed meeting to discuss the



# SENATE LEGISLATION

## CR-12F-2629B

### CR-12F-2629B:Constituional Referendum II

proposed changes and determine if any of the conflict with the above definition of a friendly amendment.

4. If the changes are approved unanimously by the Judicial Council the Joint Resolution shall take effect.

### ARTICLE VII: IMPEACHMENT

#### Section 1: Method

Procedural Requirements of the impeachment of Senatorial, Executive and/or Judicial Members shall be prescribed by law, pursuant to the following requirements.

- A. For a member of the Executive Branch to be impeached, two-thirds (2/3) of Senate must concur.
- B. For a member of Legislative Branch to be impeached, two-thirds (2/3) of Senate and must concur.
- C. For an appointed member of the Judicial Council to be impeached, two-thirds (2/3) of Senate and the President must concur. If the President does not concur, the Senate may still impeach the Justice with a three-fourths (3/4) vote of concurrence.
- D. Upon receipt of a petition of twenty percent (20%) of the currently enrolled A & S Fee paying students of the University of North Florida requesting that an elected student government official be removed from office, within sixty (60) days after the filing of a petition, a referendum must be held in which a majority vote of the students will remove the officer from their seat. Also, the grounds for removing a Student Government Officer must be expressly contained within the petition and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.

#### Section 2: Removal

Upon fulfillment of the requirements enumerated in Section 1 of this Article, the impeached official shall immediately be removed from office and may not seek appointment for any Student Government Office until the after the next General Election.

Therefore: Let it be enacted, by the University of North Florida Student Government that the proposed revisions to the Constitution be forwarded to the Student Body.

#### Senate Action

Respectfully Submitted: Constitution and Statutes Committee

Introduced by: Senator Jerry Barrs

Senate Action: Unanimous Consent

Date: September 24<sup>th</sup>, 2012

Signed,

**Zak Varshovi**

*U Zak Varshovi, Student Senate President*